

Muriel B. Kaplan, Esq. (SBN 124607)
Blake E. Williams, Esq. (SBN 233158)
SALTZMAN & JOHNSON LAW CORPORATION
44 Montgomery Street, Suite 2110
San Francisco, CA 94104
(415) 882-7900
(415) 882-9287 – Facsimile
mkaplan@sjlawcorp.com
bwilliams@sjlawcorp.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

F.G. CROSTHWAITE and RUSSELL E.
BURNS, in their respective capacities as
Trustees, et al.,

Plaintiffs,

v.

JOHN CLARK BRISBIN, individually and *dba*
CONSTRUCTION DEVELOPMENT
SYSTEMS,

Defendant.

Case No.: C10-4266 WHA

**JOINT REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE;
~~[PROPOSED]~~ ORDER THEREON**

Date: December 16, 2010

Time: 11:00 a.m.

Location: 450 Golden Gate Avenue
San Francisco, CA

Courtroom: 9, 19th Floor

Judge: Honorable William H. Alsup

Plaintiffs and Defendants in the above-titled action jointly submit this Request to Continue the Case Management Conference, based on the following:

1. This is an action by Plaintiff Trust Funds to compel Defendant's compliance with an audit required by a Collective Bargaining Agreement to which he is signatory, and by the Trust Agreements incorporated therein.

2. Counsel for both parties recently met and conferred. At his request, Plaintiffs provided Defendant's counsel, Matthew W. Quall, Esq., with a copy of the letter sent previously to Defendant, listing the records needed for an audit to be conducted.

3. Counsel for Plaintiffs and Defendant have discussed the scope of the audit and compliance therewith by Defendant, with specific discussions regarding the scope and parameters of the audit.

4. In an effort to keep fees and costs at a minimum, the parties respectfully request that the currently set Case Management Conference be continued for a short period (including the holiday periods) to January 13, 2011, to allow Defendant the opportunity to comply with the audit before litigation proceeds further.

Dated: December 9, 2010

SALTZMAN & JOHNSON
LAW CORPORATION

By: /S/
Muriel B. Kaplan
Attorneys for Plaintiffs

Dated: December 9, 2010

LANG, RICHERT & PATCH

By: /S/
Matthew W. Quall
Attorneys for Defendant

IT IS SO ORDERED.

The currently set Case Management Conference is hereby continued to January 13, 2011 at 11:00 a.m., and all previously set deadlines and dates related to this case are ~~vacated, to be reset at that Conference.~~ extended accordingly.

Date: December 14, 2010.

